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GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

March 14, 2018

PWS# 1800801

Certified Mail

7017 0190 0000 6412 7690

Mike Arnold- Eagle Lake RV Park  
687-125 Palmetto Way  
Susanville, CA 96130

### TRANSMITTAL OF CITATION NO. 01-02-18C-007

The State Water Resources Control Board (Board) Division of Drinking Water has issued the Eagle Lake RV Park water system a citation, which is enclosed.

Any person who is aggrieved by an order or decision issued by the deputy director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code Section 116625) or Article 9 (commencing with Health and Safety Code Section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Board for reconsideration of the order or decision. The enclosed citation contains the relevant statutory provisions for filing a petition for reconsideration (Health and Safety Code Section 116701).

Petitions must be received by the State Board within 30 days of the issuance of the order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. Information regarding filing petitions may be found at:

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions, please contact Nick McGann at (530) 224-3269 or me at (530) 224-4800.

A handwritten signature in black ink, reading "Stephen W. Watson".

Stephen W. Watson, P.E.  
Lassen District Engineer  
Drinking Water Field Operations Branch

Enclosure: Citation No. 01-02-18C-007 with attachments

1800801 \ Eagle Lake RV Park \ File: Enforcement

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)



**APPLICABLE AUTHORITIES****Section 116650 of California Health and Safety Code provides:**

(a) If the State Board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the State Board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The State Board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

**California Code of Regulations, Title 22, Section 64423(a) provides, in relevant part:**

(a) Each water supplier shall collect routine bacteriological water samples as follows:



(3) The minimum number of samples for transient-noncommunity water systems using groundwater and serving 1000 or fewer persons a month shall be one in each calendar quarter during which the system provides water to the public.

**Section 116701 of California Health and Safety Code provides:**

(a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.

(b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.

(c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.

(d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may



1 deny the petition upon a determination that the issuance of the order or  
2 decision was appropriate and proper, may set aside or modify the order or  
3 decision, or take other appropriate action. The state board's action pursuant  
4 to this subdivision shall constitute the state board's completion of its  
5 reconsideration.

6 (e) The state board, upon notice and hearing, if a hearing is held, may stay in  
7 whole or in part the effect of the order or decision of the deputy director.

8 (f) If an order of the deputy director is subject to reconsideration under this  
9 section, the filing of a petition for reconsideration is an administrative remedy  
10 that must be exhausted before filing a petition for writ of mandate under  
11 Section 116625 or 116700.

### 12 13 **STATEMENT OF FACTS**

14 The Park operates a seasonal transient noncommunity water system located adjacent  
15 to Eagle Lake, near Susanville, California. The system serves 59 RV sites, a mobile  
16 home, a house, a studio apartment, two wood tents, five tent spaces, a recreation  
17 center, a picnic area, and a store. The system is capable of serving a transient  
18 population of approximately 200. The owner reports that the average population is  
19 approximately 35. The water system includes two active groundwater wells, Well 01  
20 and Well 02, which operate during the summer season, approximately May through  
21 October.

22  
23 Because the system is operated with Well 01 serving one pressure zone and Well 02  
24 serving a second upper pressure zone, with the two pressure zones separated by a  
25 normally closed valve, the Park is required to take two routine bacteriological water  
26 samples per quarter from the distribution systems. The Park did not collect the  
27 required quarterly bacteriological samples for the third quarter of 2017.



**DETERMINATIONS**

Based on the above Statement of Facts, the Division has determined that the Park violated Section 64423(a), Title 22, of the CCR, in that the Park failed to collect the required routine samples during the third quarter of 2017.

**DIRECTIVES**

The Park is hereby directed to take the following actions:

1. Comply with Sections 64423(a), Title 22, of the CCR in all future monitoring periods.
2. Notify all persons served by the Park of the monitoring violation as required by Section 64463.7 and Section 64465, Title 22, of the CCR. Notification shall be completed in accordance with each of the following:
  - a) Upon the first day of the 2018 season opening and for 7 continuous days thereafter, notify all persons served by the Park of the violation by posting the notice contained in Attachment 'A' in conspicuous places within the Park's service area, and
  - b) Provide the notice contained in Attachment "A" by publication in a local newspaper to reach persons not likely to be reached by posting.Changes and/or modifications to Attachment 'A' shall not be made unless approved by the Division.
3. Complete and return Attachment 'B' entitled "Compliance Certification" to the address listed below **by no later than June 8, 2018.**

All documents required by this Citation to be submitted to the Division shall be submitted to the following address:

1 Stephen W. Watson, P. E.  
2 Lassen District Engineer  
3 State Water Resources Control Board  
4 Division of Drinking Water  
5 364 Knollcrest Drive, Suite 101  
6 Redding, CA 96002  
7

8 As used in this Citation, the date of issuance shall be the date of this Citation; and the  
9 date of service shall be the date of service of this Citation, personal or by certified  
10 mail, on the Water System.

11  
12 Nothing in this Citation relieves the Park of its obligation to meet the requirements of  
13 Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking  
14 Water Act), or any regulation, permit, standard or order issued or adopted thereunder.  
15

16 The Division reserves the right to make such modifications to this Citation, as it may  
17 deem necessary to protect public health and safety. Such modifications may be  
18 issued as amendments to this Citation and shall be effective upon issuance.  
19

#### 20 **PARTIES BOUND**

21 This Citation shall apply to and be binding upon the Park, its officers, directors,  
22 shareholders, agents, employees, contractors, successors, and assignees.  
23

#### 24 **SEVERABILITY**

25 The Directives of this Citation are severable, and the Park shall comply with each and  
26 every provision thereof, notwithstanding the effectiveness of any other provision.  
27  
28  
29



**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the State Board to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Board to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or failed to comply with an order of the State Board; and to petition the superior court to take enforcement measures against a public water system that has failed to comply with an order of the State Board. The State Board does not waive any further enforcement action by issuance of this citation.

3/14/18

Date

Stephen W. Watson

Stephen W. Watson, P.E.  
Lassen District Engineer  
Division of Drinking Water  
State Water Resources Control Board

CERTIFIED MAIL 7017 0190 0000 6412 7690

Attachment 'A': Public Notice

Attachment 'B': Compliance Certification



## **IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

*Este informe contiene información muy importante sobre su agua potable.  
Tradúzcalo o hable con alguien que lo entienda bien.*

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### **Monitoring Requirements not met for Eagle Lake RV Park during 3<sup>rd</sup> quarter of 2017**

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Our water system recently failed to monitor drinking water in accordance with the standard. Although this is not an emergency, as our customers, you have a right to know what happened and what we did to correct this situation.

*We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During the 3<sup>rd</sup> quarter (July – September) 2017 we did not monitor for coliform bacteria and, therefore, cannot be sure of the quality of our drinking water during that time.*

### **What This Means**

**There is nothing you need to do at this time.** The table below lists the contaminant we did not sample for, how often we are supposed to sample for it, how many samples we are supposed to take, how many samples we took, when samples should have been taken, and the date on which the samples were taken.

<b>Contaminant</b>	<b>Required sampling frequency</b>	<b>Number of samples required</b>	<b>Number of samples taken</b>	<b>When sample should have been taken</b>	<b>When sample was taken</b>
Coliform Bacteria	2 samples per quarter	2	0	August 2017	November 1, 2017

### **Steps We Are Taking**

As shown in the last column of the table above, we took the required samples for the fourth quarter (October – December) 2017. The fourth quarter sample results show we are meeting drinking water standards. We plan to collect our required routine samples each quarter in the future.

### **For more information please contact:**

Mike Arnold	Owner	(209) 770-0045
Nick McGann	Division of Drinking Water	(530) 224-4800

*This notice is being provided to you by Eagle Lake RV Park  
in compliance with the Domestic Water Quality and Monitoring Regulations,  
as a means of keeping the public informed.*

## COMPLIANCE CERTIFICATION

Citation Number: **01-02-18C-007**

Name of Water System: **Eagle Lake RV Park**

System Number: **1800801**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of Title 22, California Code of Regulations (CCR) for the compliance period of the 3<sup>rd</sup> quarter (July–September) of 2017. In addition, I certify that the Eagle Lake RV Park complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
Public Notification via posting, as required by Directive 2a.	_____
Public Notification by publication in a local newspaper, as required by Directive 2b.	_____
_____	_____
Signature of Water System Representative	Date

**Attach a copy of the notice published in the newspaper and posted at the water system.**

<b>THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN JUNE 8, 2018</b>
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**Disclosure:** Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.